

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK
POUGHKEEPSIE DIVISION

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Chapter 13

In re AARON FISCHMAN,

Case No. 23-35660 (CGM)

Debtor,

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**ORDER GRANTING THE MOTION OF SHALOM S.
MAIDENBAUM, A CREDITOR, TO DISMISS THE CASE
PURSUANT TO 11 U.S.C. §109(e) WITH PREJUDICE
AND DENYING AS MOOT THE DEBTOR'S MOTION TO
CONVERT THE CASE TO ONE UNDER CHAPTER 11**

Upon the Motion of Shalom S. Maidenbaum, a Creditor ("Maidenbaum"), for entry of an order pursuant to 11 U.S.C. §109(e) dismissing this case with prejudice, filed on September 1, 2023 [ECF 14] (the "Dismissal Motion"); and upon the Motion by the Debtor, Aaron Fischman (the "Debtor"), pursuant to 11 U.S.C. §§109(e) and 1307(d) to convert this case to one under Chapter 11 filed on September 25, 2023 [ECF 20] (the "Conversion Motion"); and upon Maidenbaum's memorandum of law in opposition to the Conversion Motion and in further Support of the Dismissal Motion, filed on October 24, 2023 [ECF 39] ("Maidenbaum's Memorandum of Law"); and the Court having held a hearing on all aspects of the Dismissal Motion and the Conversion Motion on November 21, 2023; and after hearing argument from counsel for both Maidenbaum and the Debtor on both Motions, and for the reasons set forth in the Dismissal Motion, Maidenbaum's Memorandum of Law and on the record at the hearing; and sufficient cause appearing therefor; it is hereby

ORDERED that Maidenbaum's Motion to Dismiss the Case with prejudice [ECF 14] is granted and the Debtor's bankruptcy case is dismissed with prejudice; and it is further

ORDERED that the Debtor's Motion to Convert the Case to one under Chapter 11 [ECF 20] is denied as moot.

**Dated: November 30, 2023
Poughkeepsie, New York**



/s/ Cecelia G. Morris

**Hon. Cecelia G. Morris
U.S. Bankruptcy Judge**